

Project Location: \_\_\_\_\_

**INSTRUCTIONS:**

- **Make an appointment** with the Development Services Intake staff for submission, 512-401-5100.
- **Submittals are due by 5:00 PM on the zoning submittal date.** See attached schedule.
- Fill out the following application and checklist completely prior to submission.
- Use the most current application located on the City's website ([www.cedarparktexas.gov](http://www.cedarparktexas.gov)).
- Incomplete applications cannot be accepted for review.
- Place a check mark on each line if you have complied with that item. ***This checklist is only a guide. All zoning requirements cannot be reflected on this checklist.*** If there are any questions regarding zoning regulations, the applicant should consult the source law. City ordinances can be obtained from the City of Cedar Park at our website or City Hall.
- Submit the completed application package and all subsequent documentation and updates to:  
**Development Services Intake / 450 Cypress Creek Road, Building 2 / Cedar Park, TX 78613**

(Submittal Date – Office Use Only)

**GENERAL INFORMATION**

The Applicant must complete all pages of this application and submit all supporting information as required below. Receipt of this application does not constitute a complete application until it is determined to be complete by the Planning Division. Incomplete applications will not be processed and may result in a postponement of your request.

**REVIEW PROCEDURE**

A Conditional Use Permit ("CUP") or Special Use Permit ("SUP") may be granted to certain land uses that are not permitted by right in some or all zoning districts of the City, but are nevertheless recognized as being desirable to the full function and development of the City under appropriate circumstances and in conformity with the goals and objectives of the City's Comprehensive Plan. CUPs and SUPs are examined on a case-by-case basis to determine whether, and under what conditions, these uses may be permitted.

The Planning and Zoning Commission shall have approval authority for CUPs, and City Council shall have final approval authority for SUPs after a recommendation from the Planning and Zoning Commission.

In considering each application for a CUP or SUP, the Planning and Zoning Commission or City Council shall find: (a) if the application is granted, that the application sufficiently addressed each of the Review Factors stated in Sec. 11.02.310(a)(3) of the Cedar Park Code of Ordinances, and (b) if the application is denied, that the application failed to sufficiently address one or more stated Review Factors.

In granting a CUP or SUP, the Planning and Zoning Commission or City Council may:

- 1) Impose standards, conditions, and requirements in addition to or which supersede those of the Zoning Ordinance or presented by the applicant, as deemed necessary to advance the purposes and intent of the Zoning Ordinance, provided that such requirements are directly related to the impacts of the proposed use; and
- 2) Require that a performance guarantee, acceptable in form, content, and amount to the City, be posted by the applicant to ensure continued compliance with all applicable conditions and requirements.

**PUBLIC NOTIFICATION**

Surrounding property owners within a 300 ft. radius of the subject site will be notified of the proposed request. It will benefit you to meet with surrounding property owners prior to the public hearing date. If the request is located within 300 feet of a single family residential zoned property, a summary of neighborhood communications is required to be completed; however, this requirement does not mandate a neighborhood meeting.

This application hereby authorizes City staff to enter upon the property at any reasonable time for the purpose of a site visit in connection with the review of this application.

**PUBLIC HEARING**

All application deadline dates will be strictly enforced. A public hearing schedule is attached.

**WITHDRAWALS**

An application or amended application for CUP or SUP may be withdrawn within ten (10) calendar days of the Planning and Zoning Commission's recommendation of denial a maximum of two times in a twelve-month period. After an application for the same property has been withdrawn twice in a twelve-month period, no further applications for a zoning or rezoning to the same or less restrictive zoning district will be accepted for a period of twelve months from the date of second withdrawal.

If an application is withdrawn after the ten (10) days as stated above, no new application shall be accepted for zoning or rezoning to the same or less restrictive zoning district within twelve (12) months from the date of withdrawal. Public notification of a withdrawal will be at the expense of the applicant.

All application fees will apply with each submittal or resubmittal per Appendix A, of the Code of Ordinances.

**SUCCESSIVE APPLICATIONS**

No application for any conditional or special use permit or amendment thereto shall be submitted or considered for the same lot, parcel, or portion thereof prior to the expiration of twelve (12) months from the date of the Planning and Zoning Commission or City Council's denial of an application for a conditional or special use permit or amendment thereto.

**AMENDMENTS**

Upon request by the City or the owner of property subject to a conditional or special use permit, the Planning and Zoning Commission or City Council may amend a permit by following the same procedure as that required for approval of the original permit application. Such amendment may modify, add, or remove conditions on the permit, but shall not alter the permitted use of the property and shall not be submitted or considered prior to the expiration of twelve (12) months from the date the permit or any amendment thereto was approved. Amendments which do not alter the uses permitted or the basic physical relationship of the property to adjacent property, do not increase the density, floor area, or height of permitted improvements, or do not reduce the setback areas about the property as indicated on an approved site plan, may be approved by the Director of Development Services or their designee.

### REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

**The following items are required in order for the Conditional or Special Use Permit Application to be accepted.**

- ☐ 1. Completed Application form with owner's original signature.
- ☐ 2. Concept plan addressing each of the following factors:
  - i. Access, Circulation, Parking, and Loading - Number and location of access points to the property, proposed structures and uses with particular reference to automotive, bicycle, mass transit and pedestrian safety and convenience; traffic flow and control; emergency access; and location of off-street parking, loading spaces, and service areas.
  - ii. Compatibility With Adjacent Properties - General compatibility and appropriateness of the permitted use in relationship to other nearby properties and uses, including consideration of lighting, signage, traffic and hours of operation, screening/buffering, landscaping, noise/odors, and other factors.
  - iii. Compliance with the goals and objectives of the City's Comprehensive Plan, as amended.
- ☐ 3. Number of property owners to be notified: \_\_\_\_\_  
 A computer printout from the appraisal district listing property owners located within 300 feet of the boundaries of the subject property, and from that a location map and key showing the notification boundaries and numbered key listing the names and mailing addresses of those to be notified. Also provide electronic version of the property owner list in WORD format. [Provide mailing labels for property owners.](#)
- ☐ 4. A fee of \$2.00 per property owner within 300 feet of the subject property must be included with the filing fee. The requested property owner listing may be obtained from the Williamson County Appraisal District. (This fee is required to provide legal notification to surrounding property owners. The number of owners is found from item 3 above.)
- ☐ 5. A fee of \$150.00 for one newspaper publications for a CUP or a fee of \$300.00 for two newspaper publications for a SUP.
- ☐ 6. Application fee - Filing and processing fees for CUP and SUP requests are as follows:  
 Up to 3 acres: \$300.00  
 Above 3 acres: \$300.00 for the first 3 acres, plus \$25.00 for each acre thereafter, with a maximum of \$2,000.
- ☐ 7. Professional Base Recovery Fee\*: \$200 non-refundable deposit  
 \*Additional fees may be charged for professional expenses incurred (Ordinance CO-01-01-25-M.1.)
- ☐ 8. Sign Fee:  
 \$10 per sign for every 200 feet of frontage on a roadway with a speed limit of 40 mph or less with a maximum of 3 signs per roadway frontage. \_\_\_\_\_ # of signs needed  
 \$25 for every 200 feet of frontage on a roadway with a speed limit of 45 mph or greater with a maximum of 3 signs per roadway frontage. \_\_\_\_\_ # of signs needed
- ☐ 9. A map or plat showing the area being proposed for the CUP or SUP.
- ☐ 10. A clear and legible copy of field notes (metes and bounds) describing the tract (when not a subdivided lot).
- ☐ 11. Tax certificates.

### FEE SUMMARY:

\$ \_\_\_\_\_ Property Owner Notification Fee (#4)  
 \$ \_\_\_\_\_ Newspaper Notice Fee (#5)  
 \$ \_\_\_\_\_ Application Fee (#6)  
 \$ \_\_\_\_\_ Professional Base Recovery Fee (#6)  
 \$ \_\_\_\_\_ Sign Fee (#6)  
 \$ \_\_\_\_\_ **TOTAL FEES**

Note: A fee of \$200 may be incurred if the applicant requests a postponement from Planning and Zoning Commission hearing.

**Application:****1. Request:**

Current Zoning Classification: \_\_\_\_\_

Requested CUP or SUP: \_\_\_\_\_

Acreage/Sq. Ft. of Zoning Change: \_\_\_\_\_

**2. Related Cases (if known):**

Previous Zoning Case: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Site Development: \_\_\_\_\_

**3. Address and Legal Description:****Provide certified field notes describing the property being proposed for CUP or SUP.**

Street Address: \_\_\_\_\_

Subdivision Name/Lot &amp; Block Nos.: \_\_\_\_\_

Property Recording Information: ☐ Williamson County ☐ Travis County

Volume/Cabinet No. \_\_\_\_\_ Page/Slide No. \_\_\_\_\_

Document No. \_\_\_\_\_

**4. Ownership Information:**

Name of Property Owner(s): \_\_\_\_\_

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity AND the name of the managing partner.)

Address of Owner: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

I hereby request that my property, as described above, be considered for rezoning:

**Signed:** \_\_\_\_\_**Printed Name:** \_\_\_\_\_**Date:** \_\_\_\_\_**5. Agent/Applicant Information:**

If an agent/applicant is representing the owner of the property, please complete the following information:

Agent/Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

I hereby authorize the person named above to act as my agent/applicant in processing this application before the Planning and Zoning Commission and City Council of the City of Cedar Park:

Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Office use only:**Tax Certificates: ☐ County ☐ School ☐ City ☐ ACCCertified List of Property Owners Within 300' ☐All Fees Paid: ☐ Filing ☐ Review ☐ Mail Out CostsAttached Map of Subject Property ☐

Accepted for Processing By: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Public Notification in Newspaper: \_\_\_\_\_

Date of Public Hearing Before Planning and Zoning Commission: \_\_\_\_\_

Date of Public Hearing Before City Council: \_\_\_\_\_

## **Applicant's Summary of Neighborhood Communications**

1. Purpose. The purpose of the neighborhood meeting summary requirement is to educate the applicant about issues or concerns from surrounding neighborhoods and property owners that would be impacted by the proposed CUP or SUP. The process is intended to raise awareness of the proposed development, to identify issues regarding perceived impacts, and to resolve the issues in an inclusive manner.

2. Applicability and Exemptions. This neighborhood summary process is required for all CUP and SUP requests that are within 300 feet of a single family residential zoning district; however, this requirement does not mandate a neighborhood meeting. If there are no residential zoned properties within 300 feet of the subject property, the applicant is exempt from this requirement.

3. The Neighborhood Summary Report. The applicant must submit the summary report to the Planning Director (or his/her designee) by 5pm the day prior to the day of the public hearing. The report must describe:

- How the neighborhood was notified about the proposal (how and when notification occurred, and who was notified);
- How the information regarding the proposal was shared with neighborhoods (i.e. mailings, workshops, meetings, open houses, flyers, etc.);
- Who was involved in the discussions;
- Any concerns that were raised by the neighborhoods; and
- Any conditions that were added to or modified within the zoning request in response to concerns raised at the neighborhood meeting.

4. Summary Form. The attached form must be substantially completed in order to be accepted.

- This form will be distributed to the Zoning Commission at the meeting;
- Upon request, this form may be distributed to the general public one day prior to the public hearing.

5. Summary Presentation. The applicant, or his representative, must present the summary report at each public hearing on the request.

**Applicant's Summary of Neighborhood Communications**

1. How and when were the surrounding neighborhood and property owners notified, how was information shared, and who was directly involved in the communication process?

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2. Who was notified (i.e. property owners, HOA, etc.)?

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3. What concerns were raised during these communications?

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4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

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The above information is deemed to be true to the best of my knowledge.

Signed: \_\_\_\_\_

Date \_\_\_\_\_

## 2015 Schedule for Zoning Submittal

<b>*Submittal Deadline (by 5 P.M.)</b>	<b>For P&amp;Z Meeting (Tuesday 6:30 P.M.)</b>	<b>City Council Meeting **(Thursday 6:30 P.M.) 1st Reading</b>	<b>City Council Meeting **(Thursday 6:30 P.M.) 2nd Reading</b>
January 16, 2015	February 17, 2015	March 12, 2015	March 26, 2015
February 13, 2015	March 31, 2015	April 23, 2015	May 7, 2015
March 16, 2015	April 21, 2015	May 21, 2015	June 11, 2015
April 20, 2015	May 19, 2015	June 11, 2015	June 25, 2015
May 18, 2015	June 16, 2015	July 9, 2015	July 23, 2015
June 15, 2015	July 21, 2015	August 13, 2015	August 27, 2015
July 20, 2015	August 18, 2015	September 10, 2015	September 17, 2015
August 17, 2015	September 15, 2015	October 8, 2015	October 22, 2015
September 21, 2015	October 20, 2015	November 19, 2015	December 3, 2015
October 19, 2015	November 17, 2015	December 17, 2015	January 14, 2016
November 16, 2015	December 15, 2015	January 14, 2016	January 28, 2016
December 21, 2015	January 19, 2016	February 11, 2016	February 25, 2016

**NOTE THE FOLLOWING:**

\*Submittal deadline is the 3<sup>rd</sup> Monday of the month.

If this date falls on a holiday, the deadline is the work day before the holiday.

\*\*Meeting dates in November and December and 2014 are subject to change because of holidays.

Please verify submittal dates with the Planning Division.

City Council dates for 2nd Readings are subject to change. The date shown is the first possible date.

\*\*\* The Planning and Zoning Commission shall have approval authority for CUPs, and City Council shall have final approval authority for SUPs after a recommendation from the Planning and Zoning Commission.